IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

SMITH KLINE & FRENCH LABORATORIES, LTD, and SMITHKLINE BEECHAM CORP., d/b/a GLAXOSMITHKLINE, Plaintiffs, v. TEVA PHARMACEUTICALS U.S.A., INC., Defendant.	Civil Action No: 05-197 GMS

JOINT STIPULATION AND PROPOSED ORDER

Plaintiffs Smith Kline & French Laboratories, Ltd. and SmithKline Beecham Corp., d/b/a GlaxoSmithKline ("GSK") and Defendant Teva Pharmaceuticals USA, Inc. ("Teva") enter into the following stipulation:

1. The only patent claims asserted by GSK to be infringed by Teva shall be claim 5 of United States Patent No. 4,452,808 ("the '808 patent") and claim 3 of United States Patent No. 4,824,860 ("the '860 patent") (the "Asserted Claims"). Teva shall not raise any non-infringement defense with respect to the Asserted Claims.

2. GSK shall not assert that Teva has willfully infringed any claims of either the '808 patent or the '860 patent.

3. Teva stipulates that its submission of ANDA No. 77-460 and its amendments ("the Teva ANDA") constituted an act of infringement of the Asserted Claims to the extent those Asserted Claims are valid and enforceable. Teva further stipulates that, to the extent the

Asserted Claims are valid and enforceable, making, using, selling, offering to sell, or importing the ropinirole hydrochloride tablets that Teva seeks approval to market under the Teva ANDA ("the Proposed Products") would infringe claim 5 of the '808 patent, and that using the Proposed Products to treat Parkinson's disease in a human patient would infringe claim 3 of the '860 patent, except to the extent that such making, using, selling, offering to sell or importing of the Proposed Products was performed solely for uses reasonably related to the development and submission of information under a Federal law which regulates the manufacture, use or sale of drugs or veterinary biological products, including the submission of the Teva ANDA.

4. Teva represents that, to the best of its present knowledge, the only compound claimed by the '808 or '860 patents that is included in the Proposed Products or used in the process of making the Proposed Products is ropinirole hydrochloride.

5. GSK may seek leave of Court to reinstate their willful infringement claim in the event they become aware of any new, material information bearing on the issue of willfulness, and, in that event, Teva may assert any defense to willful infringement and rely upon any evidence in support of its defenses thereto.

6. The plaintiffs may seek leave of Court to assert additional patent claims in the action if they become aware of new, material information contradicting Teva's representation in Paragraph 4 above. In that event, Teva may oppose GSK's request for leave to assert the additional patent claims and may assert any defense relating to the additional patent claims.

7. This stipulation does not prevent any party from seeking attorneys' fees under 35 U.S.C. § 285 or any other applicable statute or rule.

8. This stipulation is applicable only to this action and may not be used by any party for any purpose in any other lawsuit or proceeding or with respect to any other patent, NDA or ANDA held by GSK or Teva.

Respectfully submitted,

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SO ORDERED this _____ day of _____, 2006.

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United States District Judge